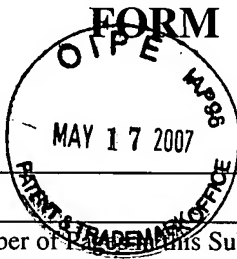


172

TRANSMITTAL

FORM



| | |
|-----------------------|--------------------|
| Application No.: | 10/821,696 |
| Filing Date: | 4/9/2004 |
| First Named Inventor: | William Glynn |
| Confirmation No.: | 1534 |
| Group Art Unit | 2111 |
| Examiner: | Phan, Raymond Ngan |
| Customer No. | 24227 |
| Docket No. | EMC-99-173CON1 |

Total Number of Pages in this Submission: _____

ENCLOSURES (check all that apply)

- | | | |
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| <input checked="" type="checkbox"/> Authorization for the Commissioner to charge Deposit Account No. 05-0889 for fees associated with this transaction (in duplicate) <input checked="" type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Decl. <input type="checkbox"/> Extension of Time Request for 1 Month <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Request for Continued Examination Transmittal <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Fee Transmittal (in duplicate) | <input type="checkbox"/> Assignment <input type="checkbox"/> Recordation Cover Sheet <input type="checkbox"/> Declaration/Power of Attorney <input type="checkbox"/> Copy of Notice to Recordation <input type="checkbox"/> Revocation of Power of Attorney <input type="checkbox"/> Formal Drawings <input type="checkbox"/> Letter to Official Draftsperson with ____ () sheets of redlined changes to drawings <input type="checkbox"/> Copy of PTO 948, "Notice of Draftsperson's Patent Review" <input type="checkbox"/> Preliminary Amendment <input type="checkbox"/> Additional Enclosures: | <input type="checkbox"/> Petition for Revival of an Unintentionally Abandoned Application [37 CFR 1.137(b)] (in duplicate) <input type="checkbox"/> Form PTOL-85B, Part B -Issue Fee Payment Transmittal," (in duplicate) <input type="checkbox"/> Statement Under 37 CFR 3.73(b) <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Certificate of First Class Mailing <input type="checkbox"/> Certificate of Express Mail Mailing <input checked="" type="checkbox"/> Postcard |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

| | |
|-------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Date <u>5/15/07</u> Tel: (508) 293-6985 Fax: (508) 293-7189 | <u>Penelope S. Wilson</u> Penelope S. Wilson, Esq. (Reg. No. 29,751) EMC Corporation Office of the General Counsel 176 South Street Hopkinton, MA 01748 |
|-------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8]

I hereby certify that this correspondence and the above-referenced enclosures are being:

- ☒ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
- ☐ Transmitted by facsimile on the date shown below to the Patent and Trademark Office at (703)

| | |
|---------------------|--------------------------------------------------------------------------------------------|
| Date <u>5/15/07</u> | <u>Joseph D'Angelo</u> Signature Typed or printed name of person signing certificate |
|---------------------|--------------------------------------------------------------------------------------------|



PATENT
EMC-99-173CON1

UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|---------------------|----------------------------------------------------------|--------------------------|--------------------|
| APPLICANT: | William Glynn | GROUP ART UNIT: | 2111 |
| U.S.S.N.: | 10/821,696 | CONFIRMATION NO.: | 1534 |
| FILING DATE: | April 9, 2004 | EXAMINER: | Phan, Raymond Ngan |
| | | CUSTOMER NO. | 24227 |
| TITLE: | BALANCED BENCHMARK TOOL FOR A MASS STORAGE SYSTEM | | |

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to: Mail Stop: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 15th, 2007.

Mail Stop: Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Sir:

This is in response to the Office Action mailed March 22, 2007.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those which may otherwise be provided for in documents accompanying this paper.

Applicant: William Glynn
U.S.S.N.: 10/821,696
Filing Date: April 9, 2004
EMC Docket No.: EMC-99-173CON1

However, in the event that additional extension of time are necessary, then such extensions of time are hereby petitioned under 37 C.F.R. Section 1.136(a) and any fees required for consideration of this paper (including fees for net addition of claims) are authorized to be charged in one originally-executed and one duplicate copy of an Amendment Transmittal Letter filed herewith.

Please amend the subject application, as follows:

Amendments to the Specification begin on page 3 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 4 of this paper.

Remarks begin on page 7 of this paper.